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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in the critical areas of concern and further actions and initiatives: review of the implementation of the Beijing Platform for Action and the outcome documents of the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Statement submitted by Human Rights Advocates, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31 of 25 July 1996.

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Statement

1. One of the greatest gender crimes of the 21st century is the trafficking of women and children for means of forced prostitution and sexual slavery. Individual member States must work towards full implementation of the Beijing Declaration and Platform for Action and the elimination of all forms of violence against women, especially the trafficking of women. This statement focuses on the need of member States to address the role they themselves play in the trafficking of women, and more specifically: the demand created by their military and UN peacekeeping troops and personnel; the lack of adequate protection of vulnerable populations such as migrant workers and victims of natural disasters; and the eradication of safe and legal migration options due to the strict immigration laws and policies of destination States.

2. Trafficking is a direct manifestation of deeply ingrained gender inequalities that transcend national borders. Women and children who are trafficked are often regarded as commodities to be bought and sold in order to satisfy a male patron's desires as well as the profit motive of the traffickers. Because of the ever-increasing demand for women and children, the escalation of female unemployment in countries of origin, and the continuous rise in the irregular migration of women and children, human trafficking has become one of the largest forms of profit for organized crime, second only to the drug trade.

3. Some major perpetrators of the trafficking industry and a substantial part of the demand are an individual member State's own armed forces and UN peacekeeping soldiers and personnel. Within the military structure, it is often deemed not only acceptable, but also appropriate to buy and sell women in order to sexually satisfy the almost exclusively male troops. Generally, commanders do nothing to change the practices of their troops, and often shrug them off with little more than a "boys will be boys" attitude. That nonchalant attitude and lack of accountability makes it especially difficult to address the problems associated with trafficking.

4. Migration has been directly linked to the trafficking of women and children. Reports show that women who face zero opportunities for employment, are employed in heinous conditions, or are being paid too little to survive, migrate within their own borders and across borders in search of employment. Strict immigration laws and anti-migration policies, however, have virtually eliminated all forms of legal and safe migration. With no other available options, women are forced to seek migration assistance from traffickers and are regularly sold into sexual slavery or forced to become prostitutes in order to pay off the debt incurred for the assistance.

5. Victims of natural disasters are extremely vulnerable to abuse and exploitation, particularly women and children. The Indian Ocean Tsunami of 2004 left thousands of children orphaned and at risk of being trafficked. Less than two weeks into the recovery process, UNICEF expressed concern over rumors of orphaned children becoming victims of trafficking, and States began taking measures to prevent traffickers from exploiting the already devastated victims. Indonesia, for example, "slapped restrictions on youngsters leaving the country, ordered police commanders to be on the lookout for trafficking, and posted special guards at refugee camps."[1]

6. The Fourth World Conference of Women of 1995 produced the Beijing Platform for Action (Platform), which continues today to serve as an "agenda for women's empowerment." Strategic Objective D of the Platform deals specifically with violence against women, and contains a subsection focusing on the elimination of trafficking in women.[2] At the 48th Commission on the Status of Women, the Commission agreed that the review and appraisal of the Platform would be centered on implementation at the national level. In order for individual member States to implement and fulfill the objectives of the Platform, and in particular Objective D, they must acknowledge the role their soldiers, laws, and policies play in perpetuating violence against women, and more specifically, the trafficking of women and children. States will not be successful in eliminating trafficking until they address the actions of their own military soldiers and personnel, the lack of employment opportunities for their women, and the effects of their immigration and trafficking laws and policies.

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[1] Associated Press, *Tsunami Children Lost, Vulnerable*, CBSNEWS.com (Jan. 5, 2005).

[2] Beijing Platform for Action, Fourth World Conference on Women, 17 October 1995, A/CONF.177/20 (1995).

State Militaries and UN Peacekeeping Troops

7. There is a high correlation between military presence within a state and the trafficking of women. Due to the permitted and often encouraged use of local women and/or prostitutes for purposes of "rest and relaxation" for the soldiers, the formation of a thriving red light district closely follows the establishment of a military base or camp. There is considerable evidence of forced prostitution by military forces as a government-regulated industry to service the stationed troops. As the demand for this "rest and relaxation" increases, women are increasingly trafficked into the area to increase supply for the troops. [3]

8. For example, United Nations personnel and peacekeeping troops have been involved in trafficking and sexual exploitation of women. In Cambodia in 1993, the sexual exploitation of women and girls by UNTAC troops was brushed aside as "boys will be boys." In 2001, UN police officers in Kosovo set up brothels and trafficked Eastern European women to fill them. One year later, UN relief workers in West Africa were caught demanding sexual favors in return for aid. Currently, the peacekeeping mission in the Democratic Republic of Congo is receiving attention, with scores of charges of rape and sexual exploitation of women and girls.[4]

9. The United States is one country that has recognized its military's involvement in the violations of women's rights. The US government has recently increased focus on its military's involvement in trafficking. In 2003, the Department of Defense established a "zero tolerance" policy and the DoD Inspector General created a Human Trafficking Assessment Project. The Project has focused on the military's actions in the Republic of Korea, Bosnia and Herzegovina, and Kosovo, and has placed businesses and establishments identified as being involved in trafficking and prostitution off-limits to its soldiers.[5] The effects of these policies, however, are still unclear.

Migration

10. In 1995, the Beijing Platform for Action estimated 125 million people to be migrants, refugees and displaced persons. More recent statistics show that there are over 175 million migrants worldwide, more than half of which are women. This "massive movement of people" is resulting in countless cases of abuse and exploitation of these migrants, with many becoming victims of trafficking and sexual exploitation.[6]

11. Faced with the little to no employment opportunities at home, workers are forced to migrate to find employment. When domestic labor laws discriminate against these migrant workers, it encourages and very often results in exploitation and abuse. For example, the lack of adequate labor law protection in Japan has proliferated the trafficking of Thai, Filipino, Korean, Eastern European, and South American women and children into Japan's sex industry.[7]

12. Strict immigration laws and border controls of destination countries around the world have made legal and safe migration virtually impossible for impoverished migrants and have resulted in the proliferation of irregular migration. Most migrants do not have the means or ability to migrate legally, and as a result seek assistance from third parties who arrange for and assist in their immigration, for a price. Women migrants are extremely vulnerable in this situation and very often find themselves forced to work off their debts by prostituting themselves upon arrival in their destination country.

13. Although many states are beginning to recognize the global crisis of human trafficking, there has been little attention given to the protection of migrants. The International Convention on the Protection of the Rights of All Migrant Workers

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[3] Isabelle Talleyrand, *Note: Military Prostitution: How the Authorities Worldwide Aid and Abet International Trafficking in Women*, 27 Syracuse J. Int'l L. & Com. 151 (Winter 2000).

[4] Maggie Farley, *Congo Sex Scandal Prompts Efforts for Reform in U.N.*, latimes.com (Dec. 18, 2004).

[5] Statement by Joseph E. Schmitz, Inspector General of the Department of Defense, *Organization for Security and Cooperation in Europe (OSCE) Forum for Security Cooperation: "Suppressing Slavery in the 21st Century: From Legislation to Enforcement"* (Nov. 17, 2004).
See http://www.dodig.osd.mil/IGInformation/Speeches/OSCE_Forum_112204K.pdf

[6] Beijing Platform for Action, Fourth World Conference on Women, 17 October 1995.

[7] Amnesty International, *Protecting Migrant Workers' Rights*, The Wire (Dec. 2004).

came into force in July 2003, almost 13 years after adoption by the General Assembly. Only 27 of the 191 UN Member States have ratified the convention, with no ratifications by industrial countries, despite the enormous contributions that migrant workers make to their economies.[8] Without national laws protecting them, migrants are easy and obvious targets for exploitation.

Recommendations

14. In implementing the Beijing Declaration and Platform for Action, States must focus on the eradication of violence against women, specifically the trafficking of women and children. Thus, Human Rights Advocates urges the Commission on the Status of Women to recommend Member States to work towards the elimination of the trafficking of women and children by:

a. Performing an in-depth study on the actions of their military and peacekeeping troops, including how they contribute to the demand for prostitutes and the proliferation of trafficking;

b. Creating, implementing and improving mandatory gender-sensitivity training for military troops and personnel, and holding military troop and personnel accountable for their actions by creating and implementing effective mechanisms and procedures to ensure the prosecution of violators of the codes of conduct;

c. Institute assessment studies on actions States have taken to address and reduce trafficking;

d. Reviewing their migration legislation and policies, and conducting in-depth studies on the causes of irregular migration and the correlation between irregular migration, migration legislation and policies and the trafficking of women and children;

e. Ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

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[8] Thalif Dean, *International Migrants Day: More Women, More at Risk*, Interpress Service News Agency (Dec. 17, 2004). See http://ipsnews.net.